

REMARKS

Claims 2 and 4 have been cancelled while claims 1, 3 and 5-7 stand rejected. Claims 7-12 have been added. Therefore, claims 1, 3 and 5-12 are pending and at issue.

Claims 1, 3 and 5-7 stand rejected as being anticipated under 35 U.S.C. § 102 over, or in the alternative unpatentable under 35 U.S.C. § 103 over, U.S. Patent 5,614,568 to Mawatari et al. Independent claim 1, from which claims 3 and 5-7 depend, has been amended to overcome the rejections by more specifically reciting the claimed subject matter.

Claim 1 has been amended to more specifically recite the group of chemical agents having pesticidal properties to be selected from. (Please refer to amended claim 1 for the entire listing of chemical agents recited.) None of the recited chemical agents is disclosed or suggested in Mawatari et al. and therefore, the rejections should be withdrawn.

Additionally, all of the antifungals/antibacterials disclosed in Mawatari et al. are metal compounds that contain metal ions, such as silver ions, copper ions and lead ions. All of the chemical agents recited in independent claim 1, as amended, consist of organic materials and not metal containing materials.

Furthermore, as previously discussed in the response dated September 24, 2004, the chemical agent (C) is used in combination with (B), the at least one compound selected from the group consisting of: sulfone amides, sulfonic esters, carboxylic acid amides, and carboxylic acid esters and (D) the fibrous organic filler so as to be kept in the resin for a prolonged period of time and gradually release from the resin. Therefore, the pesticidal activity will be exhibited for a prolonged period of time.

However, as described above, the antibacterial agent of Mawatari et al. is a metal composition and therefore, not capable of exhibiting its effect through its emission from the resin. Therefore, the antibacterial agent recited in Mawatari et al. cannot be considered similar to the specific chemical agents recited in claim 1 as amended.

Therefore, as Mawatari et al. fails to disclose or suggest one or more aspects recited in independent claim 1, as amended, the rejections should be withdrawn and the claim allowed.

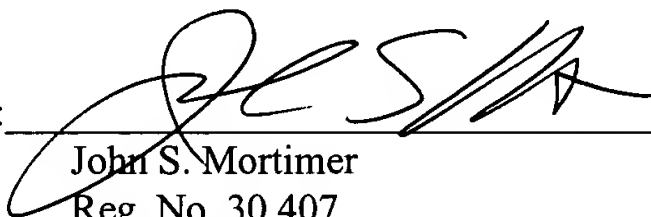
Claims 3 and 5-7 depend from and more specifically recite the composition of claim 1.

Subsequently, the rejections of claims 3 and 5-7 should also be withdrawn and the claims allowed.

CONCLUSION

In view of the foregoing, Applicants respectfully request reconsideration of the rejections of claims 1, 3 and 5-7 and the allowance of the case.

Respectfully Submitted,

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